

H.B. 242

FEES FOR GOVERNMENT RECORDS REQUESTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 3, 2014 8:41 PM

Representative **Brian S. King** proposes the following amendments:

1. *Page 1, Line 14:*

14 without charge under certain circumstances, making the provision a requirement for costs up to \$1,000 .

2. *Page 2, Line 56 through Page 3, Line 59:*

56 (4) {~~A governmental entity [may] shall fulfill a record request without charge~~} (a)

Subsection (4)(b) applies to [and is

57 encouraged to do so when] a governmental entity's fee for fulfilling a record request if {~~it~~} the
governmental entity determines that:

58 {~~(a)~~} (i) releasing the record primarily benefits the public rather than a person;

{~~(b)~~} (ii) the individual requesting the record is the subject of the record, or an individual

3. *Page 3, Line 61:*

61 {~~(c)~~} (iii) the requester's legal rights are directly implicated by the information in the record,

4. *Page 3, Line 62:*

62 and the requester is impecunious.

(b) If a governmental entity makes a determination under Subsection (4)(a), the governmental entity:

(i) may not charge the first \$1,000 in costs incurred for fulfilling the record request; and

(ii) may charge for costs incurred in fulfilling the record request to the extent that the costs exceed \$1,000.